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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kiichi UEYANAGI et al.

Group Art Unit: 2653

Application No.: 09/771,705

Examiner: K. Chu

Filed: January 30, 2001

Docket No.: 108459

For: OPTICAL REPRODUCTION APPARATUS AND OPTICAL
RECORDING AND REPRODUCTION APPARATUS

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the August 24, 2004 Office Action, reconsideration of the rejections is respectfully requested in light of the following remarks.

Claims 1-16 are pending in this application.

The courtesies extended to Applicant's representative by Examiner Chu at the interview held October 13, 2004, are appreciated. The issues presented in the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview.

The Office Action rejects claims 1-4, 6, 8-12, 14 and 15 under 35 U.S.C. §103(a) over Ohba et al. (U.S. Patent 5,802,036) in view of Fujii (U.S. Patent 5,818,811) and Koyama et al. (U.S. Patent 6,141,302); claim 5 under U.S.C. §103(a) over Ohba et al. (U.S. Patent 5,802,036) in view of Fujii (U.S. Patent 5,818,811) and Koyama et al. (U.S. Patent 6,141,302) and further in view of Kewitsch et al. (U.S. Patent 6,274,288); claim 13 under 35

U.S.C. §103(a) over Ohba et al. (U.S. Patent 5,802,036) in view of Fujii (U.S. Patent 5,818,811) and Koyama et al. (U.S. Patent 6,141,302) and further in view of Tsai (U.S. Patent 6,285,652); and claim 16 under 35 U.S.C. §103(a) over Ohba et al. (U.S. Patent 5,802,036) in view of Fujii (U.S. Patent 5,818,811) and Koyama et al. (U.S. Patent 6,141,302) and further in view of Shimano et al. (U.S. Patent 5,774,444). The rejections are respectfully traversed.

During the personal interview, the Examiner agreed that there is no motivation to combine Koyama et al. with Ohba et al. in order to invalidate independent claims 1 and 14-16 because the insertion of Koyama et al.'s condensing lens between Ohba et al.'s light shade and photodetector would render Ohba et al. inoperable for its intended purpose. Accordingly, independent claims 1 and 14-16 are patentable over the applied references. As such, withdrawal of the rejections of claims 1, 14-16 and their dependent claims under 35 U.S.C §103(a) is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claim 1-16 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:TMN/fpw

Date: October 18, 2004

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